

Communications with Judge Bonapfel's Chambers By E-Mail

You may communicate with Chambers by e-mail at PWBCchambers@ganb.uscourts.gov. Chambers receives hundreds of calls, letters and personal visits from attorneys or messengers each month. Much of that communication can be done more rapidly, more efficiently and more economically by e-mail. Attorneys may use e-mail to submit proposed orders without original signatures; see numbered paragraph 5 below.

Please follow the procedures in formatting e-mail messages and proposed orders.

1. Subject Line. The subject line of every message must begin with the case or adversary proceeding number, followed by the name of the Debtor, followed by a brief description of the subject matter. For example, a subject line might read as follows, following the word "subject" on the e-mail form:

99-54321; John Doe; Proposed Consent Order - **OR** -
AP 00-1234; Doe v. Smith; Proposed Order on motion to compel #10

If the Debtor is a company and the name is long, such as Doe Mechanical and Electrical Contractors Company, Inc., put in enough to indicate the name; e.g., Doe Mech. Contractors.

2. Text. The text of an e-mail message should begin with the name of the person for whom the e-mail is intended. For almost all communications, this will either be the Courtroom Deputy Clerk or the Law Clerk. For example: To: Cheryl Goss.

3. Rule 9003. Rule 9003(a) states: "Except as otherwise permitted by applicable law, any examiner, any party in interest, and any attorney, accountant, or employee of a party in interest shall refrain from ex parte meetings and communications with the court concerning matters affecting a particular case or proceeding."

Every message sent to Chambers must be sent to all parties in the contested matter or adversary proceeding (or specific dispute in an adversary proceeding), where Rule 9003 would require that a communication to Chambers sent by conventional means be served on other parties. If a party does not have an e-mail address, an indication that a copy was transmitted to that party and the method of transmission should be shown at the beginning of the text of the e-mail. For example:

To: Law Clerk
cc: John Doe, Debtor (by regular U.S. Mail at {address})
cc: Richard Roe, Attorney for xyz, Inc. (by facsimile at {number})

4. Attachments. Files (other than programs) smaller than 250K may be attached to an e-mail message. (This would exclude imaged files exceeding about 5 pages.) A proposed order may be included as an attachment to an e-mail message so long as it is in a **text** format (i.e., not scanned). The primary word processing software used by the court is WordPerfect. Chambers also has access to Word. If the word processing software used to prepare the proposed order is anything other than

WordPerfect or Word, save the document in ASCII (as a text file) before attaching it to your communication. Alternatively, proposed orders may be in portable document format (PDF). The consent or absence of opposition to a proposed order of other parties in the contested matter or adversary proceeding should be indicated on the proposed order as set forth below.

5. Names of attorneys in proposed orders. Below the court's signature line, the signature lines of counsel should be set forth in the following format:

Prepared by:

s/

Sam Spade

Attorney for Maltese Falcon, Inc.

Bar No. 000000

Address

Telephone

E-mail address

Consented to:

s/

John Lawyer by Sam Spade

With Express Permission

Mr. Lawyer's State Bar No. 000000

Address

Telephone

E-mail address

No Opposition by:

[same format]

An attorney's submission of a proposed order by e-mail constitutes the attorney's signature on the document and a certification to the Court that any other persons shown as signing the document have signed it or authorized the attorney to represent their signatures.

6. E-mail is not a way to avoid filing pleadings. Attorneys are not to use e-mail as a substitute for filing appropriate motions in the case.

7. Routine Matters. Attorneys may use e-mail to communicate with the Courtroom Deputy Clerk at cheryl_goss@ganb.uscourts.gov about routine non-substantive matters, but should not send e-mails to inquire regarding whether a matter is on the calendar, whether an order has been entered, or for such other information that can be ascertained on ECF. Attorneys may use e-mail to request a hearing for a matter not subject to the open-calendar procedure, or to alert Chambers regarding the filing of an emergency motion or other matter which needs expedited treatment. Nonetheless, these rules must be followed in all respects and when in doubt about whether Bankruptcy Rule 9003 is implicated, send a copy of your e-mail to the other party's attorney.

